

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

G.S. by and through his parents and next friends, BRITTANY and RYAN )  
SCHWAIGERT, S.T. by and through her mother and next friend, EMILY )  
TREMEL, and on behalf of those similarly situated, )  
Plaintiffs, )  
v. )  
GOVERNOR BILL LEE, in his official capacity as GOVERNOR OF TENNESSEE, )  
and SHELBY COUNTY, TENNESSEE, )  
Defendants. )

**DEFENDANT GOVERNOR BILL LEE'S NOTICE OF POTENTIAL WITNESSES FOR  
HEARING SCHEDULED SEPTEMBER 9, 2021**

Defendant Bill Lee, Governor of the State of Tennessee, by and through the Office of the Tennessee Attorney General, provides notice of a potential witness for the September 9, 2021 hearing on Plaintiffs' preliminary injunction motion:

**Theresa Nicholls** – Theresa Nicholls, Assistant Commissioner for Special Populations at the Tennessee Department of Education (“TDOE”), will be physically present in Court on September 9, 2021. She intends to testify about: the Individuals with Disabilities Education Act (“IDEA”), specifically its purpose, procedures, and methods for dispute resolution; trainings and resources TDOE has provided to local educational agencies on meeting the needs of students with disabilities during the COVID-19 pandemic; options for serving students with disabilities during

the COVID-19 pandemic; and Section 504 of the Rehabilitation Act's protections and procedural safeguards.

Respectfully submitted,

HERBERT H. SLATERY III  
Attorney General and Reporter

s/James R. Newsom III

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 7th day of September, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing report. Parties may access this filing through the Court's electronic filing system.

s/Robert W. Wilson

Assistant Attorney General